

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 4/24/2020
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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 MIGUEL RIVERA, :  
 :  
 Petitioner, :  
 :  
 -against- :  
 :  
 J. COLLADO, SUPERINTENDENT OF :  
 SHAWANGUNK CORRECTIONAL FACILITY, :  
 :  
 Respondent. :  
 -----X

1:19-cv-11403-GHW

ORDER

GREGORY H. WOODS, United States District Judge:

On January 27, 2020 the Court directed the parties to confer as to whether they consent to proceeding before the assigned Magistrate Judge, and to submit either an executed consent form or a joint letter no later than February 24, 2020. Dkt. No. 10. On February 26, 2020, the Court directed the parties to comply with the Court's January 27, 2020 order forthwith, and in no event later than March 11, 2020. Dkt. No. 11.

On March 15, 2020, Petitioner sent a letter to Respondent in which Petitioner said that he consents to proceeding before the assigned Magistrate Judge. Dkt. No. 18 at 2. Petitioner has not received a response from Respondent. *Id.* On March 20, 2020, Respondent, presumably having not received Petitioner's letter, requested an extension of time to notify the Court whether the parties consent to proceed before the Magistrate Judge to allow time to confer with Petitioner. Dkt. No. 15. The Court extended the deadline to May 8, 2020. Dkt. No. 16. On April 13, 2020, Petitioner informed the Court that, although he had informed Respondent that he consented, Respondent had not responded to him. Dkt. No. 18.

Petitioner is directed to resend to Respondent his letter consenting to proceed before the Magistrate Judge. Along with this letter, Petitioner is also directed to send an executed Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form, a copy of which is attached to

this order (and also available at <https://nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf>).

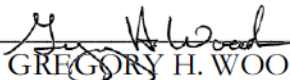
The deadline for the parties to comply with the Court's January 27, 2020 order is extended from May 8, 2020 to June 8, 2020.

The Clerk of Court is directed to mail a copy of this order to Petitioner.

SO ORDERED.

Dated: April 24, 2020

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GREGORY H. WOODS  
United States District Judge

# **EXHIBIT A**

# UNITED STATES DISTRICT COURT

for the

<i>Plaintiff</i> v.	)	
	)	
<i>Defendant</i>	)	Civil Action No.
	)	

## NOTICE, CONSENT, AND REFERENCE OF A CIVIL ACTION TO A MAGISTRATE JUDGE

*Notice of a magistrate judge's availability.* A United States magistrate judge of this court is available to conduct all proceedings in this civil action (including a jury or nonjury trial) and to order the entry of a final judgment. The judgment may then be appealed directly to the United States court of appeals like any other judgment of this court. A magistrate judge may exercise this authority only if all parties voluntarily consent.

You may consent to have your case referred to a magistrate judge, or you may withhold your consent without adverse substantive consequences. The name of any party withholding consent will not be revealed to any judge who may otherwise be involved with your case.

*Consent to a magistrate judge's authority.* The following parties consent to have a United States magistrate judge conduct all proceedings in this case including trial, the entry of final judgment, and all post-trial proceedings.

<i>Printed names of parties and attorneys</i>	<i>Signatures of parties or attorneys</i>	<i>Dates</i>

## Reference Order

**IT IS ORDERED:** This case is referred to a United States magistrate judge to conduct all proceedings and order the entry of a final judgment in accordance with 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73.

Date: \_\_\_\_\_

\_\_\_\_\_  
*District Judge's signature*

\_\_\_\_\_  
*Printed name and title*

**Note:** Return this form to the clerk of court only if you are consenting to the exercise of jurisdiction by a United States magistrate judge. Do not return this form to a judge.

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